UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Luis Manuel PINTOR-Gonzalez,** Defendant	Magistrate Docket No. 08 MJ 0230
	COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **January 23, 2008** within the Southern District of California, defendant, **Luis Manuel PINTOR-Gonzalez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25th DAY OF **JANUARY, 2008.**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Luis Manuel PINTOR-Gonzalez

PROBABLE CAUSE STATEMENT

On January 23, 2008, Border Patrol Agent J. Viau was assigned to linewatch duties in the Imperial Beach area of operations. At approximately 10:30 P.M., he responded to a seismic intrusion device in an area commonly referred to as the "High Speed Trail". This area is approximately four miles west of the San Ysidro, California, Port of Entry and approximately one half mile north of the United States/Mexico International Boundary.

Upon his arrival to the area, Agent Viau was informed by the infrared operator of four suspected illegal aliens running north from the area. Agent Viau immediately gave chase and was able to detain the individuals. Agent Viau identified himself as a United States Border Patrol Agent and conducted an immigration inspection. All four subjects including one later identified as the defendant **Luis Manuel PINTOR-Gonzalez**, admitted to being citizens and nationals of Mexico, illegally in the United States without any immigration documents that would allow them to legally enter or remain in the United States. All subjects were arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **November 09, 2007** through **Calexico, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Defendant was advised of his Miranda rights, which he understood and was willing to make a statement without an attorney present. The defendant once again freely admitted to being an illegal alien present in the United States without any documentation to enter or remain legally. He also stated his intended destination was Los Angeles, California.